

DIANA S. EBRON, ESQ.  
Nevada Bar No. 10580  
E-mail: diana@KGElegal.com  
JACQUELINE A. GILBERT, ESQ.  
Nevada Bar No. 10593  
E-mail: jackie@KGElegal.com  
KAREN L. HANKS, ESQ.  
Nevada Bar No. 9578  
E-mail: karen@KGElegal.com  
KIM GILBERT EBRON  
7625 Dean Martin Drive, Suite 110  
Las Vegas, Nevada 89139  
Telephone: (702) 485-3300  
Facsimile: (702) 485-3301  
*Attorneys for SFR Investments Pool 1, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

U.S. BANK NATIONAL ASSOCIATION, AS  
SUCCESSOR TRUSTEE TO BANK OF  
AMERICA, N.A. AS SUCCESSOR BY  
MERGER TO LASALLE BANK, N.A., AS  
TRUSTEE FOR MERRILL LYNCH FIRST  
FRANKLIN MORTGAGE LOAN TRUST,  
MORTGAGE LOAN ASSET-BACKED  
CERTIFICATES, SERIES 2007-5,

Plaintiff,

vs.

WARM SPRINGS RESERVE OWNERS  
ASSOCIATION; SFR INVESTMENTS POOL  
1, LLC; ALESSI & KOENIG, LLC,

Defendants.

SFR INVESTMENTS POOL 1, LLC, a  
Nevada limited liability company,

Counterclaimant,

vs.

U.S. BANK NATIONAL ASSOCIATION, AS  
SUCCESSOR TRUSTEE TO BANK OF  
AMERICA, N.A. AS SUCCESSOR BY  
MERGER TO LASALLE BANK, N.A., AS  
TRUSTEE FOR MERRILL LYNCH FIRST  
FRANKLIN MORTGAGE LOAN TRUST,  
MORTGAGE LOAN ASSET-BACKED

Case No. 2:16-cv-00844-RFB-BNW

**ORDER GRANTING MOTION TO SERVE  
JOHN FOLEY BY PUBLICATION**

**-and-**

**ORDER GRANTING MOTION TO  
ENLARGE TIME TO SERVE SUMMONS  
AND CROSS-CLAIM**

CERTIFICATES, SERIES 2007-5; JOHN  
FOLEY, an individual,

Counter/Cross Defendants.

Upon reading the Affidavit of Due Diligence [ECF No. 47]; it appearing that an Answer, Counterclaim, and Cross-Claim (ECF No. 42) has been filed; that a Summons directed to Cross-Defendant, JOHN FOLEY has been issued [ECF No. 45]; that Cross-Defendant is a necessary party; and that Cross-Defendant cannot be found to be personally served in the State of Nevada, and good cause appearing therefore,

**IT IS HEREBY ORDERED** that since the Cross-Defendant, JOHN FOLEY, cannot now be found so as to be personally served, he may be served by publication of the Summons at least once a week for four (4) weeks in the Nevada Legal News, a newspaper of general circulation and a newspaper of general circulation in Clark County, Nevada.

**IT IS FURTHER ORDERED** that a copy of the Summons and Answer, Counterclaim, and Cross-Claim shall be mailed forthwith to Cross-Defendant JOHN FOLEY, first class mail, postage prepaid, addressed to the Cross-Defendant's last known address.

**IT IS FURTHER ORDERED** that SFR's Motion to Enlarge Time to Serve is GRANTED and the time for service is extended by an additional 60 days from the date of this order is entered to allow SFR Investments Pool 1, LLC ("SFR") to effectuate service by publication.

Dated this 20th day of June, 2019.

  
UNITED STATES MAGISTRATE JUDGE

Submitted by:

**KIM GILBERT EBRON**

/s/ Diana S. Ebron  
Diana S. Ebron, Esq.  
Nevada Bar No. 10580  
7625 Dean Martin Drive, Suite 110  
Las Vegas, Nevada 89139  
Phone: (702) 485-3300  
Fax: (702) 485-3301  
*Attorneys for SFR Investments Pool 1, LLC*